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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CRAIGSLIST, INC., a Delaware corporation,

Case No. CV-12-03816 CRB

Plaintiff,

DECLARATION OF CHRISTOPHER J.
BAKES IN SUPPORT OF DEFENDANT
3TAPS' MOTION TO DISMISS CRAIGSLIST
CAUSES OF ACTION 4, 5, 6, 13 AND 14 RE
EXHIBITS

V.

3TAPS, INC., a Delaware corporation;
PADMAPPER, INC., a Delaware corporation;
and DOES 1 through 25, inclusive.

JURY TRIAL DEMANDED

Defendants.

Judge: Hon. Charles R. Breyer

Date:

Time:

Courtroom: 6

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www

Case No. CV-12-03816

1 JAMES A. KEYTE (*pro hac vice* application forthcoming)
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16 Attorneys for Defendant 3TAPS, INC. AND
17 DISCOVER HOME NETWORK, INC. d/b/a
LOVELY (“LOVELY”)

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1 I, CHRISTOPHER J. BAKES, declare and state as follows:

2 1. I am an attorney licensed to practice law in the State of California, and am an attorney
 3 at the law firm of Locke Lord LLP. Our firm represents Defendant 3TAPS, INC. ("3taps") in this
 4 action. The matters stated in this declaration are of my personal knowledge and, if called as a
 5 witness, I could and would competently testify thereto. I offer this declaration in support of 3taps'
 6 Motion to Dismiss Craigslist Causes Of Action 4, 5, 6, 13 And 14 ("3taps' Motion to Dismiss").

7 2. Attached are true and correct copies of the exhibits cited in 3taps Motion to Dismiss,
 8 but not contained in reporters:

9 a. Exhibit A: "Screen shot" indicating result when testing Google indexing of
 10 craigslist content; "screen shot" indicating results obtained with specified search terms;

11 b. Exhibit B-1: Craigslist Terms of Use (pre-Feb. 2012 version);

12 c. Exhibit B-2: Craigslist Terms of Use (post-Feb. 2012 version);

13 d. Exhibit C: Application and Registration Information for:

14 (1) TX0007547907 retrieved from Library of Congress Public Catalog,
 15 Application Title: craigslist website 2012 (Homepage and primary supporting pages) dated
 16 July 19, 2012;

17 (2) TX0006866660 retrieved from Library of Congress Public Catalog,
 18 Application Title:accounts.craigslist.org 2004 dated September 22, 2004;

19 (3) TX006866658 retrieved from Library of Congress Public Catalog,
 20 Application Title: accounts.craigslist.org 2008 dated February 29, 2008;

21 (4) TX0006866662 retrieved from Library of Congress Public Catalog,
 22 Application Title post.craigslist.org 2004 dated February 6, 2004;

23 (5) TX0006866661 retrieved from Library of Congress Public Catalog,
 24 Application Title post.craigslist.org 2008 dated May 31, 2008; and

25 (6) TX0006866657 retrieved from Library of Congress Public Catalog,
 26 Application Title craigslist website 2006 dated June 19, 2006.

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1 e. Exhibit D: "Screen shot" evidencing craigslist.com "clicking continue" on
2 "exclusive licenses" screen.

3 I declare under penalty of perjury under the laws of the State of California that the foregoing
4 is true and correct.

5 Executed on this 21st day of December, 2012, at Sacramento, California.

6 LOCKE LORD LLP

7 By: /s/ Christopher J. Bakes
8 Christopher J. Bakes
9 M. Taylor Florence
10 Jason Mueller
11 Attorneys for Defendant 3TAPS, INC.